



ATTACHMENT 12  
ITEM 17

**CRUZ M. BUSTAMANTE**  
Lieutenant Governor  
State of California

August 11, 2004

Chairman John Minan and Regional Board Members  
California Regional Water Quality Control Board  
9174 Sky Park Court, Suite 100  
San Diego, CA 92123-4340

**RE: Comments on Tentative Order No. R9-2004-0154 for Duke Energy South Bay, LLC, South Bay Power Plant**

Dear Chairman Minan and Regional Board Members:

I am again writing to ask you to adopt a stringent permit for the South Bay Power Plant that protects the water quality and ecosystem of the San Diego Bay. This permit renewal is a significant opportunity for the Regional Board to send a clear message that it is time for this plant to operate without significant negative impacts to the Bay.

For over 40 years, the South Bay Power Plant has impacted the Bay's ecosystem with the thermal and chemical pollution leading to significant environmental impacts. Roughly 20 percent of the water in the South Bay is drawn into the plant every day. Early life stages of marine plants and animals also are drawn into the cooling water system, where they are subjected to damage or death, as well as chemical, temperature and pressure shock. The loss of early life stages of fish, shellfish and other invertebrates, and other microscopic plants and animals that form the base of the food chain affect the overall ecological balance of the Bay and millions of these organisms are lost in the Power Plant each year.

The Regional Board should adopt a permit that clearly states that impacts from the current plant should be significantly reduced, fully mitigated, and the health of the Bay should be restored.

Thank you for your consideration.

Sincerely,

  
**CRUZ M. BUSTAMANTE**  
Lieutenant Governor

cc: Mr. Albert Huang, Environmental Health Coalition

CMB:lg